

U.S. Department of Homeland Security
500 12th Street, SW
Washington, DC 20024



U.S. Immigration
and Customs
Enforcement

June 6, 2013

MEMORANDUM FOR: Tae D. Johnson
Assistant Director for Custody Management
Jay M. Brooks
Jay M. Brooks
Deputy Assistant Director, Detention Management Division

THROUGH: Jay M. Brooks

FROM: Thomas C. Finley
Acting Unit Chief, Detention Standards Compliance Unit
Thomas C. Finley

SUBJECT: Immigration Centers of America Farmville, VA – Waiver Request

Purpose:

Provide a waiver for the Immigration Centers of America (ICA) Farmville as it relates to the 4.5 Personal Hygiene, Section (IV) (E) (1) within the 2011 Performance Based National Detention Standards (2011 PBNDS) which states “ACA Expected Practice 4-ALDF-4B-08 – requires that toilets be provided at a minimum ratio of one for every 12 male detainees or one for every eight female detainees. For males, urinals may be substituted for up to one-half of the toilets in male facilities. All housing units with three or more inmates have a minimum of two toilets.”

Background:

ICA Farmville has paid an architect to draw up plans to expand the plumbing by one toilet and one shower in each dormitory except the two small 44-bed dorms. ICA Farmville had a contractor provide an estimate to increase the plumbing in each dorm based on those drawings, would cost the facility \$404,401. Additionally, each bathroom renovation would take approximately 30 days to complete and there would be times when the water supply to the dorms, and the entire facility would be interrupted for limited periods during the day while construction takes place.

Discussion:

First, ICA Farmville has had no complaints, grievances, or waiting lines to use the toilets, sinks, or showers. Secondly, there has been no adverse effect on the life, health, and safety of staff or detainees and no adverse effect on the constitutional operation of the facility. The

bathrooms are available to the detainees 24 hours a day, and they have free access without staff assistance. Finally, if ICA Farmville were to increase the number of bunks by 15 in each dorm, without increasing the plumbing, the facilities toilet, sink, and shower ratio would go from 1:15 to 1:17.5.

Recommendation

I recommend authorization of a waiver for ICA Farmville as it pertains to the 2011 Performance Based National Detention Standards, 4.5 Personal Hygiene, Section (IV) (E) (1) for the requirement that toilets be provided at a minimum ratio of one for every 12 male detainees or one for every eight female detainees.

Date Authorized jmb 6/10/13
Date Modified _____

Date Not Authorized _____
Needs more discussion _____